



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alfred D. Commins Conf. No. 9692
Application No.: 09/922,581 Examiner: Yip, Winnie S.
Filed: August 3, 2001 Art Unit: 3636
For: BUILDING WALL FOR RESISTING LATERAL FORCES

INFORMATION DISCLOSURE STATEMENT

Prosecution in the above-identified application is closed, as the Patent Office has issued a Notice of Allowance. This is a request for continued examination, accompanied by the appropriate fee and this submission, prior to payment of the Issue Fee. The submission constitutes an Information Disclosure Statement only. No changes to the claims are requested.

Applicant believes that no extension of time is required; however, this is a conditional petition and authorization to pay the necessary fees under 37 CFR §1.36(a) to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

This paper is being mailed on Tuesday, October 13, 2009, the day after Columbus Day. The Notice of Allowance was mailed on July 10, 2009. Although three months after July 10, 2009, is October 10, 2009, October 10, 2009, fell on a Saturday, and the following Monday was Columbus Day, October 12, 2009, thus the next succeeding business day is Tuesday, October 13, 2009 2009. Under 37 C.F.R. 1.7, and as described in MPEP 710.05, when a deadline falls on a Saturday, a response should be considered timely filed, if it is filed on the next succeeding business day.

Applicant submits herewith patents, publications or other information, of which Applicant is aware that Applicant believes may be material to the examination of this application, and in respect of which, there may be a duty to disclose. The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be,

material to patentability, or that no other material information exists. The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

This information disclosure statement is accompanied by Form PTO/SB/08 (substitute for Form PTO-1449) Pursuant to Notice of August 5, 2003, copies of cited U.S. patent documents and publications are not enclosed.

With respect to the following reference, Applicants would like to direct the Examiner's attention in particular as follows:

C2 – Cyclic Testing of Narrow Plywood Shear Walls, ATC R-1, 1995, Applied Technology Council, Redwood City, CA

Applicants believe relevant passages and figures may appear at pages 3 -5 and 25 through 26, where the test rig is described and the conclusions and recommendations of the study are described.

As far as is known to the undersigned, this Information Disclosure Statement is being filed before the mailing of a first Office action after the filing of a request for continued examination as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required. While no fee is believed to be due, if this belief is in error the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required for this paper, or credit any overpayment to Deposit Account No. 03-4075 (Atty. Docket No. SST-1148).

Respectfully submitted,



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Attachments: Form PTO/SB/08 (1 pgs)

2 non-patent references, and 1 foreign patent